

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

FEB 10 2006

at 11 o'clock and 08 min. AM
SUE BEITIA, CLERK

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

V.

ROBERT R. MALDONADO, JR.,

Defendant - Appellant.

No. 04-10559

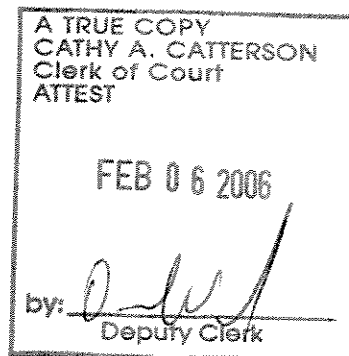
D.C. No. CR-02-00341-HG

JUDGMENT

Appeal from the United States District Court for the District of Hawaii
(Honolulu).

On consideration whereof, it is now here ordered and adjudged by this
Court, that the appeal in this cause be, and hereby is **DISMISSED**.

Filed and entered 01/13/06



FILED

NOT FOR PUBLICATION

JAN 13 2006

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ROBERT R. MALDONADO, JR.,

Defendant - Appellant.

No. 04-10559

D.C. No. CR-02-00341-HG

MEMORANDUM*

Appeal from the United States District Court
for the District of Hawaii
Helen Gillmor, District Judge, Presiding

Submitted January 9, 2006**

Before: HUG, O'SCANNLAIN and SILVERMAN, Circuit Judges.

Robert R. Maldonado, Jr. appeals from the 200-month sentence imposed following his guilty plea conviction for conspiracy to distribute and possess with intent to distribute methamphetamine and cocaine, in violation of 21 U.S.C.

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

** This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

§§ 841(a)(1) and 846.

Because Maldonado's contention regarding ineffective assistance of counsel is inappropriate for resolution on direct appeal, we decline to review it. *See United States v. Ross*, 206 F.3d 896, 900 (9th Cir. 2000).

We dismiss Maldonado's remaining contentions in light of the valid appeal waiver. *See United States v. Nguyen*, 235 F.3d 1179, 1182 (9th Cir. 2000) (stating that an appeal waiver is valid when it is entered into knowingly and voluntarily); *see also United States v. Cardenas*, 405 F.3d 1046, 1048 (9th Cir. 2005) (holding that the changes in sentencing law imposed by *United States v. Booker*, 543 U.S. 220 (2005), did not render waiver of appeal involuntary and unknowing).

DISMISSED.